

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO : 25265 of 2004

Between:

M/s.Veera Brahmanda Swami Saw Mills,

Rep. by its Proprietor

K.Nallanna, S/o.K.Eswarappa,

Aged about 60 years, Occ : Business,

R/o.Yemmiganur, Kurnool District.

..... PETITIONER

AND

1. Andhra Pradesh Co-op. Bank,

rep. by its General Manager,

Troop Bazar, Hyderabad.

2. The Commissioner for Cooperation

and Registrar of Coop. Societies,

A.P., Hyderabad.

3. The District Co-op. Central Bank,

Kurnool, Kurnool District,

Rep. by its General Manager.

4. The Branch Manager,

Kurnool District Co-op. Central Bank,

Yemmiganur Branch, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, writ or writs more particularly in the nature of Writ of Mandamus declaring the action of the respondents in putting a cut off date of payment of 25% on or before 31-12-2004 and the remaining 75% amount on or before 31-03-2005 in OTS scheme and not passing any orders on my representation dated 23-12-2004 is illegal, arbitrary and against the principles of natural justice, unreasonable and unjust and consequently direct the respondents to extend the time for payment of 25% on or before 31-03-2005 and remaining 75% of the due amount on or before 31-03-2006.

Counsel for the Petitioner:MRCH.JANARDHAN REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR COOPERATION

Counsel for the Respondent Nos.3 and 4:Smt.K.SESHARAJYAM The Court at the admission stage made the following :

ORDER:

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Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents 3 and 4 and perused the material on record.

This writ petition is filed aggrieved by the alleged action of the respondents in not considering the request of the petitioner for extension of time for payment of the amounts under OTS Scheme.

As can be seen from the material on record, the petitioner made a representation only on 23-12-2004 seeking extension of time for payment of 25% and 75% amount under the OTS Scheme. Hence, it is for the respondents to consider the same in accordance with the law and to take an appropriate decision.

In the circumstances, without expressing any opinion on merits, the writ petition is disposed of with a direction to the respondents 3 and 4 to consider the representation of the petitioner dated 23-12-2004 and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order. No costs.

31-12-2004

Note : C.C. in three days.

(B/o)

Stp

To

1. The General Manager, Andhra Pradesh Co-op. Bank,
Troop Bazar, Hyderabad.
2. The Commissioner for Cooperation
and Registrar of Coop. Societies,
A.P., Hyderabad.
3. The General Manager, District Co-op. Central Bank,
Kurnool, Kurnool District,
4. The Branch Manager,
Kurnool District Co-op. Central Bank,
Yemmiganur Branch, Kurnool District.
5. Two CCs to GP for Co-operation, High Court of
A.P., Hyderabad (OUT).
6. Two CD copies.